

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :
: SUPERSEDING INDICTMENT
- v. - :
: S1 19 Cr. 913 (SHS)
MARTIN ROSS, :
a/k/a "Blue," :
MIKAL TARIQ LEAHR, :
a/k/a "Homeboy," :
DESTINY ROMERO, :
a/k/a "Lucky," and :
JOSE L. IRIZARRY, :
: Defendants. :
----- X

COUNT ONE

(Narcotics Conspiracy)

The Grand Jury charges:

1. From at least in or about April 2019 up to and including at least in or about December 2019, in the Southern District of New York and elsewhere, MARTIN ROSS, a/k/a "Blue," MIKAL TARIQ LEAHR, a/k/a "Homeboy," DESTINY ROMERO, a/k/a "Lucky," and JOSE L. IRIZARRY, the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that MARTIN ROSS, a/k/a "Blue," MIKAL TARIQ LEAHR, a/k/a "Homeboy,"

DESTINY ROMERO, a/k/a "Lucky," and JOSE L. IRIZARRY, the defendants, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance that MARTIN ROSS, a/k/a "Blue," MIKAL TARIQ LEAHR, a/k/a "Homeboy," DESTINY ROMERO, a/k/a "Lucky," and JOSE L. IRIZARRY, the defendants, conspired to distribute and possess with intent to distribute was 280 grams and more of mixtures and substances containing a detectable amount of cocaine base, in violation of Title 21, United States Code, Section 841(b)(1)(A).

(Title 21, United States Code, Section 846.)

COUNT TWO

(Firearms Offense)

The Grand Jury further charges:

4. On or about December 20, 2019, in the Southern District of New York and elsewhere, JOSE L. IRIZARRY, the defendant, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the controlled substance offense charged in Count One of this Indictment, knowingly did use and carry a firearm, and, in

furtherance of such crime, did possess a firearm.

(Title 18, United States Code, Sections 924(c)(1)(A)(i) and 2.)

FORFEITURE ALLEGATION

5. As a result of committing the offense alleged in Count One of this Indictment, MARTIN ROSS, a/k/a "Blue," MIKAL TARIQ LEAHR, a/k/a "Homeboy," DESTINY ROMERO, a/k/a "Lucky," and JOSE L. IRIZARRY, the defendants, shall forfeit to the United States, pursuant to Title 21, United States Code; Section 853, any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of said offense and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

Substitute Assets Provision

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

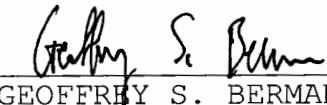
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;

- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)


FOREPERSON



GEOFFREY S. BERMAN
United States Attorney

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JOSE L. IRIZARRY,

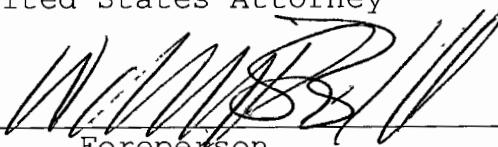
Defendants.

SUPERSEDING INDICTMENT

S1 19 Cr. 913 (SHS)

(21 U.S.C. § 846;
18 U.S.C. §§ 924(c)(1)(A)(i) and 2.)

GEOFFREY S. BERMAN
United States Attorney


Foreperson

01/13/20 Superceding Indictment Filed
(ca) KH PARAS
USAT